

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

CASE NO. 23-80101-CR-CANNON

UNITED STATES OF AMERICA,

Plaintiff,

v.

**DONALD J. TRUMP,
WALTINE NAUTA, and
CARLOS DE OLIVEIRA,**

Defendants.

/

ORDER FOLLOWING CIPA SECTION 3 HEARING

THIS MATTER comes before the Court following the Sealed Hearing on the Special Counsel's Motions for Protective Order pursuant to Section 3 of the Classified Information Procedures Act (CIPA), held on September 12, 2023 [ECF No. 149]. For the reasons discussed during the hearing, it is hereby **ORDERED AND ADJUDGED** as follows:

1. The Special Counsel's Renewed Motion for Protective Order Pursuant to Section 3 of CIPA [ECF No. 84] is **GRANTED** as applied to former President Donald J. Trump.
2. The Special Counsel's Renewed Motion for Protective Order Pursuant to Section 3 of CIPA [ECF No. 84] is **GRANTED IN PART** as applied to Waltine Nauta.
3. The Special Counsel's Supplemental Motion for Protective Order Pursuant to Section 3 of CIPA [ECF No. 127] is **GRANTED IN PART** as applied to Carlos De Oliveira.
4. Following the discussion held during the hearing on September 12, 2023, on or before **September 25, 2023**, the Special Counsel and Messrs. Nauta, and De Oliveira each

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shall file supplemental briefs on the ordinary meaning and scope of Section 3 of CIPA.¹

The briefs shall evaluate the text of the provision, the statutory context of CIPA as a whole (including the meaning of the words in Section 3 as applied throughout the statute), any decisional law interpreting Section 3, and any relevant historical, legislative, or secondary materials informing a proper understanding of Section 3.

Included in this analysis should be a corresponding study of, and comparison to, Section 4 of CIPA, along with any pertinent analysis of Rule 16 of the Federal Rules of Criminal Procedure.²

5. Also as discussed during the hearing, any motion to extend deadlines related to CIPA Section 4 [*see* ECF No. 83 p. 5] shall be made on or before **September 22, 2023**, following meaningful conferral.

DONE AND ORDERED in Chambers at Fort Pierce, Florida, this 13th day of September 2023.



AILEEN M. CANNON
UNITED STATES DISTRICT JUDGE

cc: counsel of record

¹ Defendants Nauta and De Oliveira may submit a combined filing, noting within that filing any points of disagreement or defendant-specific arguments.

² As acknowledged by the Special Counsel, the classified information in this case, described on September 12, 2023, as consisting of approximately 3,500 pages classified at various levels, is discoverable information pursuant to Rule 16(a)(1)(E).